

Certificate of Transmission by Facsimile (37 CFR 1.8) Applicant(s): Francis Xavier Ignatious et al.		Docket No. 10381/003001	
Serial No.	Filing Date	Examiner	Group Art Unit
09/171,740	April 20, 1999	T. Ware	1615
<b>Invention:</b> <b>SUSTAINED RELEASE IONIC CONJEGATE</b>			
<i>FAX RECEIVED AUG 10 2001 GROUP 1600</i>			
<p>I hereby certify that this <u>Continued Prosecution Application (CPA) Request Transmittal (2 Copies)</u> is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-308-4556 on <u>August 10, 2001</u> <u>Karen Louden</u> (Date) (Typed or Printed Name of Person Mailing Correspondence)</p>			
<u><i>Karen Louden</i></u> (Signature of Person Mailing Correspondence)			
<p>Note: Each paper must have its own certificate of mailing.</p>			

PATENT  
Attorney Docket No. 10391/003001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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IN RE APPLICATION OF : EXAMINER: T. Ware

Francis Xavier Ignatious et al. : ART UNIT: 1615

APPLICATION NO.: 09/171,740

FILED: April 20, 1999

FOR: SUSTAINED RELEASE IONIC  
CONJUGATE

Box: CPA

Assistant Commissioner of Patents  
Washington, D.C. 20231

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited via Facsimile on the date indicated below and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231. 703/308-4556

Date of Deposit August 10, 2001

Karen Louden

Karen Louden

11 Pages via Facsimile

Sir:

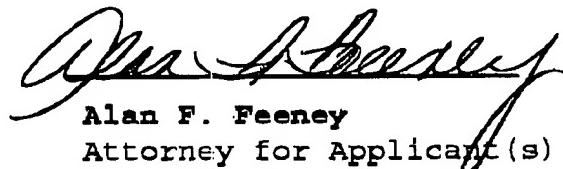
TRANSMITTAL COVER SHEET

Transmitted herewith is a Continued Prosecution Application Request Transmittal (2 copies), with a Certificate of Transmission by Express Mail; and a Petition for Extension of Time (2 copies), and an Associate Power of Attorney.

Respectfully submitted,

Biomeasure Inc.

Date: 8/10/2001

  
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<b>CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Larg Entity)</b> Submit an original, and a duplicate for fee processing. <small>(Only for Continuation or Divisional Applications Under 37 CFR 1.59(d))</small>				Docket No. <b>10391/003001</b> <input type="checkbox"/> <b>DUPLICATE</b> <small>(Check box if applicable)</small>	
First Named Inventor	Examiner		Group/Art Unit		
Francis Xavier Ignatious et al.	T. Ware		1615		
<b>Address to:</b> <b>Assistant Commissioner for Patents</b> <b>Box CPA</b> <b>Washington, D.C. 20231</b>					
This is a request for filing a <input checked="" type="checkbox"/> continuation, or <input type="checkbox"/> divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number <b>09/171,740</b> filed on <b>April 20, 1999</b> and entitled: <b>SUSTAINED RELEASE IONIC CONJUGATE</b>					
<p>1. <input type="checkbox"/> Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.</p> <p>2. <input type="checkbox"/> A preliminary amendment is enclosed.</p> <p>3. <input type="checkbox"/> This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).</p> <p>a. <input type="checkbox"/> <b>DELETE</b> the following inventor(s) named in the prior nonprovisional application:</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> The inventor(s) to be deleted are set forth on a separate sheet attached hereto.</p> <p>4. <input type="checkbox"/> A new power of attorney or authorization of agent is enclosed.</p> <p>5. <input type="checkbox"/> An Information Disclosure Statement (IDS) is enclosed:</p> <p>a. <input type="checkbox"/> PTO-1449</p> <p>b. <input type="checkbox"/> Copies of IDS Citations</p> <p>6. <input checked="" type="checkbox"/> The fee for this application is calculated as follows:</p>					
<b>CLAIMS AS FILED</b>					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	65	- 20 =	45	x \$18.00	\$810.00
Indep. Claims	4	- 3 =	1	x \$80.00	\$80.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>BASIC FEE</b>					<b>\$710.00</b>
<b>TOTAL FILING FEE</b>					<b>\$1,600.00</b>

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

7.  The Commissioner is hereby authorized to credit overpayments or charge the following fees to  
Deposit Account No. 50-0590

- fees required under 37 C.F.R. 1.16.  
 fees required under 37 C.F.R. 1.17.  
 fees required under 37 C.F.R. 1.18.

8.  A check in the amount of \_\_\_\_\_ is enclosed.

9.  Also enclosed:  
Petition for Extension of Time (2 Copies)

10.  The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address  
is provided below:

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))****NOTES****Submit an original, and a duplicate for fee processing.**

**FILING QUALIFICATIONS:** The prior application must be a nondivisional application that is either (1) complete as defined by 37 C.F.R. 1.51(m), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A notice will be placed on a patent issuing from a CPA, except for issues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. 154(b)(1). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C.P.P. NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(i).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) may be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to copies of or information concerning the prior application may be given similar access to copies of or similar information concerning the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request. 37 C.F.R. 1.78(a).

Dated: August 10, 2001

  
Signature

Alan F. Feeney

Typed or printed name

43,609

Registration Number (if applicable)

- Inventor(s)  
 Assignee of complete interest  
 Attorney or agent of record

cc: